

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLAUDE L. MITCHELL,
Petitioner,
v.
W. GOWER, Warden,
Respondent.

Case No. 15-cv-05749-HSG (PR)

**ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL**

Re: Dkt. No. 9


Petitioner has filed a motion for appointment of counsel. The Sixth Amendment's right to counsel does not apply in habeas actions. *Knaubert v. Goldsmith*, 791 F.2d 722, 728 (9th Cir. 1986). Pursuant to statute, however, a district court is authorized to appoint counsel to represent a habeas petitioner whenever "the court determines that the interests of justice so require and such person is financially unable to obtain representation." *See* 18 U.S.C. § 3006A(a)(2)(B). Here, Petitioner's claims have been adequately presented in the petition, and the interests of justice do not otherwise require the appointment of counsel. Accordingly, Petitioner's motion for appointment of counsel is DENIED. Should the circumstances of the case materially change, the Court may reconsider Petitioner's request sua sponte.

Petitioner will be provided an extension to file his traverse. Petitioner shall file his traverse no later than **July 8, 2016**.

This order terminates Docket No. 9.

IT IS SO ORDERED.

Dated: 6/9/2016


HAYWOOD S. GILLIAM, JR.
United States District Judge